

# UNITED STATES DISTRICT COURT

for the

District of South Carolina

United States of America	)	Case No: <u>4:09-73-019 (TLW)</u>
	)	USM No: <u>18112-171</u>
-versus-	)	<u>Pro se</u>
	)	Defendant's Attorney
Michael Hayward	)	
	)	
Date of Previous Judgment: <u>June 11, 2010</u>	)	
<i>(Use Date of Last Amended Judgment if Applicable)</i>	)	

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG § 1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is **DENIED** (Doc. # 1030). This case does not qualify because the Chapter Four Enhancements override Chapter Two. The Defendant is a career offender.

**IT IS SO ORDERED.**

Order Date: April 9, 2012

s/ Terry L. Wooten  
*Judge's signature*

Effective Date:  
*(if different from above)*

Terry L. Wooten, United States District Judge